



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

REFERENCES:
3-JTS-1F-02-06; 4C-45, 46
3-JDF-1F-03-08; 4C-43, 44
3-JCRF-1F-05-09; 4C-26
1-JDTP-1F-04-08; 3B-14
1-JBC-1F-03-06; 4C-40, 41
1-SJD-1F-02-07; 4C-36, 37
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, COMMISSIONER

I. POLICY

It shall be the policy of the Department that research involving its activities or programs be conducted in a responsible manner which insures the confidentiality of youth.

II. APPLICABILITY

This policy shall apply to all Department of Juvenile Justice programs and offices.

III. DEFINITIONS

As used in this document, the following definitions shall apply:

- A. Agency Research: Studies conducted by employees of the Department usually by, or in conjunction with, the Division of Program Services.
- B. Cooperative Research: Any research which involves the collection of information pertaining to youth under the jurisdiction of the Department of Juvenile Justice or to employees of the Department of Juvenile justice which is conducted by non-Department persons or by Department personnel outside the normal duties of their job.
- C. Medical Research: Includes, but is not limited to, medical experiments and pharmaceutical studies using clients of the Department as subjects.
- D. Research Activities: The application of procedures for solving a problem or testing a hypothesis.

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IV. PROCEDURES

A. Cooperative Research

Application to Conduct Cooperative Research

1. All research requests shall be answered in a timely manner. Every application to conduct cooperative research shall be directed to the staff in the Division of Program Services.

a. A research proposal must meet the following criteria:

- i. The researcher and/or the sponsoring organization have professional standing in juvenile justice education or a related field.
- ii. The design of the research proposal is of sufficient quality to predict the results will be reliable and valid.
- iii. The project has identifiable benefits for the Department, particularly those projects which are compatible with efforts or include information which may be utilized by the Department.
- iv. The research is non-medical and is not of an experimental behavioral nature. "Experimental" medical treatment shall be permitted only when standard treatments of a life-threatening illness have been ineffective and the juvenile may benefit from "experimental" treatment as recommended by the treating physician and approved by the primary physician, the DJJ Medical Director and the youth's parent or guardian.
- v. The researcher agrees to abide by the conditions of participation specified herein.

b. A research proposal shall contain the following:

- i. Full name of the researcher, researcher's qualifications, and sponsoring organization, if any.
- ii. Statement of the purpose of the research.
- iii. Description of the methodology.
- iv. Specification of the information to be obtained and sources.

If information is obtained directly from subjects a copy of any questionnaires, tests or interviews to be used on subjects, as well as a copy of the Research Consent Form.

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- v. If identifiable information is to be obtained, the specific procedure to be utilized in order to comply with the conditions stated herein.
- vi. A signed statement of agreement to abide by the conditions of participation.
- c. In addition, the research staff may also request full documentation of any aspect of the research prior to a decision to approve or reject a cooperative research project.

2. Conditions of Participation

The researcher shall assume the responsibility for ensuring the protection of the rights and well being of the individuals involved in the study. Therefore, prior to receiving the Department's approval, the researcher shall agree to abide by the following conditions of participation:

- a. Information which identifies an individual may be used only for research or statistical purposes. Therefore, identifiable information shall not be revealed for any purpose other than approved research; shall not be included in reports or publications; and shall be maintained under physically secure conditions. At the termination of the project, identifying information, specifically name and identifying numbers shall be destroyed or otherwise separated from the data.
- b. Information may be collected directly from the research subject only with informed and voluntary consent of the youth and parent or guardian. The researcher is responsible for retaining a signed consent form which clearly states the purpose of the project and the activities in which the subject will be involved.
- c. Information designated as privileged in statutes shall not be disclosed by the researcher subject to the penalties specified.
- d. All information or data obtained under the auspices of a cooperative research project shall be made available to the Department upon request. This may include, but is not limited to, all raw data stored on electronic data processing equipment. Full documentation shall be required, including a comprehensive code listing as well as all computer programs, statistical techniques, etc. which were used to collect, analyze, or store the data. Data, when requested, shall be made available upon completion of the project. The researcher shall furnish the Department with a copy of the completed research, unless prior arrangements have been made to the contrary.

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- e. Information collected or obtained through cooperative research shall not be transferred to a third party without the approval of the Department. Recipients of transferred data are subject to the same conditions of participation stated herein.
- f. The offering of incentives to youth or employees for participation in research shall not be approved, unless in unusual and highly justifiable circumstances.

3. Processing of Proposed Cooperative Research

a. Review

Upon receipt of a request for approval of a cooperative research project, the Division of Program Services staff shall review the document to determine if it meets the guidelines specified herein. If the research staff finds the request unacceptable, it shall be returned to the researcher with a statement of additional information needed or a statement of why the proposal was not approved. If the proposal is acceptable, and involves facility or community services personnel or youth, the proposal shall be forwarded to the Regional Director. The Regional Director shall be responsible for discussing the proposal with the supervisor to evaluate the impact on programs and/or operations and communicating any concerns to research staff.

b. Approval

The Regional Director shall make the final recommendation for appropriate approval or rejection to the Program Services Director, Deputy Commissioner, and Commissioner.

c. Notification

The Program Services staff shall notify the researcher in writing of approval or disapproval within four weeks of receiving all the necessary information. The appropriate superintendent or supervisor shall be notified of approved cooperative research projects in a timely manner by the Director of Program Services.

4. Publication Rights

All publications shall contain a statement which acknowledges Department of Juvenile Justice participation in the project, but disclaims approval or endorsement of the findings. In the case of films, manuals,

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books, articles, or other copyright material, the Department reserves a royalty-free, non-exclusive and irrevocable license to reproduce and use such materials.

5. Medical Experimentation Upon Youth

No youth under the jurisdiction of the Department shall be the subject of medical, pharmaceutical or experimental behavior modification research. "Experimental" medical treatment shall be permitted only when standard treatments of a life-threatening illness have been ineffective and the juvenile may benefit from "experimental" treatment as recommended by the treating physician and approved by the primary physician, the DJJ Medical Director and the youth's parent or guardian. Youth shall not be asked to participate in research which, in the opinion of the Department, may result in undue physical or emotional stress.

6. Non-Compliance

Failure to comply with any of the policies or procedure stated herein shall constitute grounds for termination of the project and may result in denial of approval for future research proposals by the researcher and the sponsoring agency or institution.

B. Agency Research

The Program Services staff shall discuss the Department requirements regarding the use of research data with all persons who are authorized to conduct research projects. This information shall include at least the following:

1. Responsibility

As a general rule, research findings shall be disseminated regardless of the nature of the findings. Their publication may avoid duplication of effort elsewhere and provide for the sharing of knowledge and experience throughout the juvenile justice field.

2. Goal Measurement

A distinction is made between system review and program review. In a system review, overall performance of the entire field organization in achieving its goals and objectives is the object of measurement. In a program review, effectiveness of a particular program in the achievement of an immediate objective is the object of measurement.

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3. Distribution of Findings

Research results shall be given first to the requester for review, comment and/or changes. Within two weeks of receipt, the requester shall submit changes and/or comments to the research staff. The report shall then be disseminated to the management team for review and comment. If after one week no changes are requested, copies of the report shall be made available to interested person(s).

V. MONITORING MECHANISM

The Division of Program Services shall monitor this policy.